



Meeting Minutes

Whitestown BZA

Date: July 3, 2014

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order:

6:34pm

Pledge of Allegiance

Roll Call

- ☒ Greg Semmler, Chairman
- ☐ Matthew Doublestein, Vice-chair (absent)
- ☐ Jim Cunningham (absent)
- ☒ Mike Roberts
- ☒ Kyle Weathers

- ☒ Staff:
 - o Deborah Luzier, Town Planner, GRW
 - o John Molitor, PC/BZA Attorney

Agenda

1) July 3, 2014

Motion to approve by Semmler. Second by Weathers. Motion passes unanimously.

Minutes

2) April 14, 2014

Motion to approve by Semmler. Second by Roberts. Motion passes unanimously.

New Business – Public Meeting

- 3) **Docket BZA14-003-SE - Special Exception – TurfBoss/WoodBoss.** The petitioner is requesting approval of a Special Exception for the purpose of allowing a construction contractor and landscape contractor to continue operation on property zoned LB - Local Business in historic downtown Whitestown. The subject property contains 0.3 acres and is located at 3 S Main St, on the east side of S Main St, south of Pierce St. The petitioner and property owner is Mark Robinson.
1. Presentation – Mark Robertson, property owner. Introduces Matthew Kelly, TurfBoss owner and tenant. Kelly keeps the property well-taken care of. He also maintains the small park next door. I think his business is a benefit to the community.
 2. Staff Report – Luzier.
 3. Public Discussion – none.

4. WPC Discussion

- i) Molitor – Staff recommends that the special exception be exclusive to this business in particular. You can make it exclusive to a “landscape contractor”, but not to a particular business.
- ii) Weatherly – is this a lease agreement?
- iii) Mark Robertson (petitioner) – yes, month-to-month
- iv) Mike Robertson – are there plans to pave the lot?
- v) Mark Robertson (petitioner) – no. It doesn’t make sense to pave it until the corner public parking lot is paved.
- vi) Luzier – the area behind the building is paved. Paving and striping their lot would assist with defining the areas.
- vii) Semmler – it may be difficult to distinguish what area is public vs private in the gravel areas.
- viii) Kelly – we’ve made it clear to the employees where to park and to not to park on the town’s lot.
- ix) Semmler – I understand the expense associated with paving the parking areas, but is there a way to stripe it and provide signs? Let’s keep the plan to still install the asphalt within 30 days of having the town’s lot paved.
- x) Luzier – what if the town doesn’t pave the public lot?
- xi) Semmler – again, I’m sensitive to the expense. Let’s see if they can work with the town’s plan for asphalt.
- xii) Area resident – I live 3 houses down from this business and have been there for many years. Where will you be keeping your equipment?
- xiii) Kelly – inside the building we have rented. We are not using the building to the south.

Motion by Roberts to approve with conditions. Second by Semmler. Motion passes unanimously.

CONDITIONS

- *The Special Exception is exclusive to this type of business (landscape contractor, general contractor) and shall expire when this type of business no longer occupies the space (all or in part).*
- *All parking areas (north and east of the primary building) shall be properly striped for adequate access and parking. Plans for striping shall be submitted for review within 30 days of approval of the Special Exception. Striping shall occur within 30 days of the approved plan.*
- *Vehicles and trailers associated with the business activities shall be stored on-site and shall not be parked in the public lot to the north.*
- *Outside storage of materials shall be prohibited. This includes materials being stored on open flat-bed trailers.*
- *Modifications to the building shall not be made without proper building permits.*
- *The business sign shall come into compliance with the current regulations within 30 days of approval of the Special Exception.*

Other Business

- 4) **Docket BZA14-004-UV - Use Variance - LNG Fuel Distribution.** The petitioner is requesting approval of a Use Variance for the purpose of allowing LNG fuel distribution on a site zoned AB – Accommodation Business. The petition also includes a height variance from 35 feet to 42 feet in order to accommodate the LNG fuel tanks. The subject property is located at the existing TA Travel Center at 5930 Whitestown Pky, on

the northwest corner of I-65 and Whitestown Pky, and contains 39 acres and. The petitioner is AECOM Technical Services, Inc and the owner is HPT TA Properties, LLC.

1. Presentation – Robert Allen, applicant been retained by AECOM for the project. This part of the Shell and TA program for LNG fuel. The LNG fuel is more efficient than diesel fuel. It's only for vehicles that are designed for LNG. The larger fleets are converting their vehicles to this fuel type, especially if LNG becomes available. LNG is very clean-burning and more efficient. Your Zoning Ordinance didn't contemplate LNG as a common fuel when it was written, so this application requires a use variance. Also, the nature of the LNG operations requires 42-foot tall tanks; there is no way around this. Shell is the supplier of the LNG. LNG is safer than traditional gas and it is not under pressure. It will evaporate if it spills, but there is a containment area designed for the pumps. Shell is very strict with the technology and its operations. The final design will be the same as what was submitted for this application and has not changed.
2. WPC Discussion
 - i) Roberts – how many facilities are going in nation-wide?
 - ii) Allen – about a dozen here in the Midwest. You won't see this at every gas station. It's specialized and expensive. Shell's target is the fleets with which they have contracts. The engines themselves are virtually identical for both LNG and diesel.
 - iii) Weatherly – you picked this location for a reason. How many vehicles do you expect?
 - iv) Allen – maybe a handful right away. Within two years, 25-50 vehicles over a 24-hour period. Some trucks will be in addition to current traffic, but others will simply be replacing the trucks already coming to the site. We've also discussed the intersection improvements to Whitestown Pky and Indianapolis Rd with Staff and we are amenable to the recommendations to recognize these improvements.
 - v) Weatherly – what safety measures will be in place?
 - vi) Allen – two tanks are natural gas and have a wall around them. A spill would be contained by this wall. The third tank is liquid nitrogen, the refrigerant. It is also screened. A control building will be constructed with all the necessary monitoring of the system. It is all self-contained.
 - vii) Semmler – this is a very unique addition to the truck stop and the community. I am pleased that it is here.

Motion by Semmler to approve with conditions. Second by Roberts. Motion passes unanimously.

CODITIONS:

- *Construction of the accessory use shall significantly resemble the elevations and location presented in the application materials.*
- *The applicant and property owner shall acknowledge the proposed intersection improvements to Indianapolis Rd and Whitestown Pky and shall work with staff to accommodate these improvements.*
- *Necessary local and state permits shall be secured prior to construction.*

New Business from the Floor

Announcements

Adjournment

7:07pm

Greg Semmler, President

Deborah Luzier, Secretary